

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ALVIN HENIX,

Plaintiff,

vs.

CASE NO. 05-CV-71604  
HON. LAWRENCE P. ZATKOFF,

COMMISSIONER OF  
SOCIAL SECURITY

Defendant.

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**OPINION AND ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff filed the instant action seeking Social Security disability insurance benefits. This matter is currently before the Court on Magistrate Judge Whalen's Report and Recommendation of March 13, 2006, in which the Magistrate Judge recommends that Plaintiff's Motion for Summary Judgment be denied and Defendant's Motion for Summary Judgment be granted.

After a thorough review of the court file, the respective parties' motions and the Report and Recommendation, and noting that no timely objections have been filed, this Court will adopt the Report and Recommendation and enter it as the findings and conclusions of this Court.

Therefore, IT IS HEREBY ORDERED that Defendant's Motion for Summary Judgment is GRANTED. Plaintiff's Motion for Summary Judgment is DENIED. Accordingly, this case is hereby DISMISSED WITH PREJUDICE. Judgment shall be entered accordingly.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff  
LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

Dated: April 27, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on April 27, 2006.

s/Marie E. Verlinde

Case Manager  
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